

Message

From: Oropallo, Michael A. [MOropallo@barclaydamon.com]
Sent: 8/5/2018 5:31:08 PM
To: Hayden, Melva [Hayden.Melva@epa.gov]
CC: Paul, Thomas J. [tpaul@barclaydamon.com]; Guster, Edward [Guster.Edward@epa.gov]; Thomas, Derval [Thomas.Derval@epa.gov]; Voo, Leonard [Voo.Leonard@epa.gov]; Hazen, Robert [Hazen.Robert@epa.gov]; Sawyer, William [Sawyer.William@epa.gov]; Leja, Andrew J. [ALEja@barclaydamon.com]
Subject: RE: I/M/O Lansing Rod and Gun Club Docket No. RCRA-02-2016-7301 8/2/18 Call Follow-up [IWOV-Active.FID1716645]

Good Afternoon Ms. Hayden, et al,

Sorry to bother you on the weekend, but I am currently 30,000 feet in the air on business travel.

Thank you for your communication, and the opportunity to clarify the information you received from the folks identified.

To be clear, the Club *did* withdraw its SUP application because of its preexisting use, and after communications with the Town Planning Board and its legal counsel. *However, the Club remains committed to relocating the shooting fields*, and has been diligently working on a set of plans for implementing the relocation. I have copied Andy Leja on this communication, as he has been working with the Club and to its commitment to the community and the environment as it has voluntarily done throughout this process.

Thank you again for your time and attention.

Michael A. Oropallo

Partner

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From: Hayden, Melva [mailto:Hayden.Melva@epa.gov]

Sent: Friday, August 03, 2018 2:42 PM

To: Oropallo, Michael A.

Cc: Paul, Thomas J.; Guster, Edward; Thomas, Derval; Voo, Leonard; Hazen, Robert; Sawyer, William

Subject: I/M/O Lansing Rod and Gun Club Docket No. RCRA-02-2016-7301 8/2/18 Call Follow-up

Dear Messrs. Oropallo and Paul, et al

I have been asked by EPA managers to send this email communication to follow up on issues raised on the conference Call EPA Region 2's Regional Administrator, Peter Lopez, and staff held with Mr. Brian Eden, Chair of the Tompkins County Environmental Management Council (TC EMC), Joseph Wetmore, Member of the Lansing Town Board, and Hillary Lambert, Steward of the Cayuga Lake Watershed Network, to discuss

their concerns about the Lansing Rod and Gun Club Administrative Order on Consent (AOC or Order), the Club's shooting activities using lead shot, and EPA granting the Club's extension, and preventing negative impacts to the surrounding tributaries and communities ecosystem.

Mr. Wetmore indicated that the Club had unilaterally withdrawn its special use permit (SUP) application due to the Club attorney's (Mr. Leja) assertion that the Club does not need a SUP because it has been in existence before the SUP legislation was enacted. Therefore, the Club contends its use of the Site is grandfathered in because the Club's use has not changed since its 1955 existence at the Site, and will not change with the relocation of the shooting ranges. The Town's representatives dispute the Club's assertion.

Moreover, on May 24, 2018, you submitted a letter on behalf of the Club to EPA requesting an extension of the deadlines in the Order until December 2018. You indicated that, due to the flooding in fall of 2017 that made the shot curtain installation no longer feasible, good cause existed for an extension to allow time for the Club to obtain the necessary local permits, and reconfigure the ranges. You further indicated the Town's Attorney indicated the appropriate legal path is through the Zoning Board of Appeals. Last, you indicated the Club is waiting for the Codes Officer to issue a formal opinion. Does this mean that the Club has filed an appeal with the Zoning Board of Appeals? Please explain.

EPA is seeking clarification between the permit information the TCEMC and Town representatives shared on the August 2, 2018 Call with EPA and the permit information you shared in the May 24, 2018 extension request letter.

At your earliest opportunity, please clarify and advise EPA what permit(s) the Club needs to apply for in order to justify that good cause exists for EPA granting the Club's request for an extension. EPA will also contact the Town's Attorney, Mr. Guy Krogh for further clarification. Thank you in advance.

Sincerely,

Melva J. Hayden

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